

SPECTOR GADON & ROSEN, P.C.
BY: GEORGE M. VINCI, JR., ESQUIRE
1000 LENOLA ROAD,
BLDG. 1, SUITE 202
MAPLE SHADE, NJ 08052
(856) 778-8100/(856) 722-5344 (FAX)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROBERT KAHN, et al.	:	
	:	Civil Action.
Plaintiffs,	:	
	:	2:08-cv-05195-KSH-PS
v.	:	
	:	
PALISADES COLLECTION, LLC, et al.	:	MOTION DATE: FEBRUARY 16, 2010
	:	
Defendants.	:	

**MOTION OF DEFENDANT PALISADES COLLECTION,
LLC FOR AN AWARD OF ATTORNEY'S FEES AGAINST
PLAINTIFFS SILVANA SERAJI AND ROBERT GARDNER**

Defendant Palisades Collection, LLC ("Palisades"), through its undersigned counsel, hereby moves the Court for an award of attorney's fees against Plaintiffs, Silvana Seraji and Robert Gardner, and in support of such motion would respectfully show the following:

1. This suit was filed as a putative class action pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.*
2. Plaintiffs Silvana Seraji and Robert Gardner had no valid claim against Palisades, as neither is a consumer and neither was entitled to receive the statutory notice alleged in the First Amended Class Action Complaint.
3. Although it made an offer of judgment which was accepted by Plaintiffs Defendant made that offer without any admission of liability. Palisades asserts that Plaintiffs Robert Gardner and Silvana Seraji brought their claims in bad faith and for the purpose of

harassment.

4. Pursuant to 15 U.S.C. § 1692k(a)(3) Defendant Palisades seeks an award of its fees and costs in this case.

WHEREFORE, Defendant Palisades Collection, LLC, moves this Honorable Court to enter an Order finding that neither Plaintiff Seraji nor Gardner is a consumer, and neither is an appropriate class representative, they filed this action in bad faith and for the purpose of harassment, and setting a hearing to determine the amount of fees and costs that should be awarded to Defendant. Palisades Collection, LLC further prays for all such other and further relief, at law or in equity, as to which it may be justly entitled.

Respectfully submitted:

Dated: January 21, 2010

By: /s/ George M. Vinci, Jr.
George M. Vinci, Jr., Esquire
1000 Lenola Road
Bldg. 1, Suite 202
Maple Shade, NJ 08052
(856) 778-8100
(856) 722-5344 (fax)
gvinci@lawsgsr.com

Counsel for Defendant,
Palisades Collection, LLC